



STATE OF WASHINGTON  
OIL SPILL ADVISORY COUNCIL

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March 16-17, 2006  
Port Commissioner's Office  
2911 Bond Street, Suite 109  
Everett, WA 98201

**March 16<sup>th</sup>, 2006**

**Members Present:** Chairman Mike Cooper, Phil Bannan, Brett Bishop, Chad Bowechop (Alternate), Maura Brueger, Jim Davis, Mike Doherty, Stuart Downer, Nick Jones, Gerald Joyce, Michael Moore, Kevin Ranker, Lee Roussel, John Schumacher, Jeff Shaw, Naki Stevens (Alternate), Greg Whittaker, Phil Winberry

**Members Absent:** Kathy Fletcher, Harlan James, David Sones

**Staff Present:** Jacqui Brown Miller, Corey Nunlist

Chairman Cooper called the meeting to order at 1:00 p.m.

**Miscellaneous Items**

Chairman Cooper welcomed Greg Whittaker (Whittaker) and Maura Brueger (Brueger) to the Oil Spill Advisory Council. Whittaker, the newly appointed tourism representative, owns and operates Alki Kayak Tours, based in Seattle. Brueger, one of three county government representatives on the Council, is the Senior Advisor for Federal Relations in King County Executive Ron Sims' office.

Phil Bannan (Bannan) welcomed the Council to Everett, home to the largest marina in the state, and to the Port Commissioner's Office, where he serves as one of three Port Commissioners.

The Council approved the January 20<sup>th</sup> draft minutes.

**Review of Consultant Hiring Process**

Chairman Cooper updated the Council on the consultant hiring process. He thanked the Hiring Committee of Jim Davis (Davis), Stuart Downer (Downer), and Lee Roussel (Roussel).

1 Council staff initially sent out a work request through the General Administration's competitive  
2 bid process, and received one proposal. The Hiring Committee decided that the proposal did not  
3 meet the Council's needs. Staff redrafted a more manageable scope-of-work given the Council's  
4 timeline. The Hiring Committee received two quality proposals and, after completing  
5 evaluations of each proposal, accepted the low bidder and awarded the contract to Environment  
6 International, Ltd. Chairman Cooper introduced the Project Manager, Rob Frazier.

### 7 8 **Ecology Spills Program Overview**

9 Dale Jensen (Jensen), Department of Ecology Spills Program Manager, introduced  
10 himself and reiterated that Ecology's staff is happy to help the Council. He introduced  
11 Prevention Section Manager Paul O'Brien (O'Brien), Preparedness Section Manager Linda  
12 Pilkey-Jarvis (Pilkey-Jarvis), and Response Section Manager David Byers (Byers), who also  
13 manages the Natural Resource Damage Assessment (NRDA) area of the Spills Program.

14 Jensen expressed his happiness with the 2006 Legislative Session, and thanked the  
15 Council for its letter supporting Ecology's budget requests and spill prevention legislation.

16  
17 Jensen briefed the Council on the Spills Program budget. The prevention and  
18 preparedness sections of the budget are funded primarily from the barrel tax, which is a five-cent  
19 tax on every barrel of petroleum product brought by vessel into Washington. Four cents of the  
20 tax go to Ecology's operating budget, and one cent goes to Ecology's non-operating response  
21 budget until the fund is capped at \$9 million. If the account falls below \$8.2 million, the one  
22 cent is again collected until the fund hits \$9 million. The extra penny has not been collected for  
23 about two years. Ecology may access the response account if spill cleanup will exceed \$50,000.  
24 Ecology attempts to recover costs for cleanup, first from the spiller and then from the federal  
25 government. There is a biennium appropriation of about \$7 million for the response portion of  
26 the non-operating budget. If cleaning up a spill will cost more than \$7 million, Ecology needs to  
27 ask the Office of Financial Management to use additional funds.

28 Response and NRDA budgets are funded out of the State Toxics Account, which comes  
29 from a tax on all hazardous materials that come into Washington. The 2006 legislature made a  
30 proviso fix that allows Ecology to spend State Toxics money on all hazardous material response,  
31 rather than limiting a large portion to methamphetamine lab response and cleanup.

32 The Coastal Protection Account contains an initial biennial appropriation of \$1.7 million  
33 for natural resource damage projects. The account is also funded by penalties to spillers.  
34 Although the fund is capped at \$1.7 million, the account is revolving, as Ecology continually  
35 spends money received on natural resource projects. If there is more than \$1.7 million in the  
36 account, Ecology can obtain special permission to spend the extra money.

37 The Vessel Response Account is funded by penalty money and miscellaneous motor  
38 vehicle taxes. This account funds the Neah Bay rescue tug. The account ends in 2008, when the  
39 motor vehicle taxes will start going to the Department of Transportation.

### 40 41 **Spills Program Prevention Section**

42 Paul O'Brien (O'Brien) presented an overview of the Prevention Section, with a budget  
43 of \$3,814,000 and a total of 19.2 FTEs, not including the six new FTEs that the 2006 legislature  
44 added. The Prevention Section screens and identifies 2,600 vessels per year and conducts 1,200  
45 inspections that target high-risk vessels. Inspections take place in the Columbia River and on  
46 Harbor Island, near Seattle, and target a wide range of factors such as management practices,

1 maintenance practices, crew hours, safety systems, and bunkering practices. Inspections take  
2 two to five hours and cover vessels in fine detail. Ecology inspectors are very experienced  
3 mariners who know what to inspect. A risk matrix, based on vessel history, country of origin,  
4 and other factors is used to rank vessels. Ecology uses a different, but similar, matrix than the  
5 Coast Guard. Inspections are guided by factors that insurance companies use to assess risk, so  
6 inspections and insurance are very much connected. For failed inspections, Ecology may issue  
7 orders or fines. Jensen added that Ecology and the Coast Guard have a memorandum of  
8 understanding to compliment each other's work. The two agencies meet often to coordinate  
9 efforts, and there is almost daily interaction at some level.

10 Tank vessels are inspected according to ECOPRO, a voluntary best-practice  
11 environmental compliance program. Ecology has seen a recent increase in vessel participation in  
12 ECOPRO. Jacqui Brown-Miller (Brown-Miller) asked whether cargo vessels are under a  
13 voluntary or mandatory inspection program. O'Brien replied that Ecology has the statutory  
14 authority to conduct cargo vessel inspections.

15 Kevin Ranker (Ranker) asked how private ferries and barges are inspected. Pilkey-Jarvis  
16 noted that some vessels will likely fall under Ecology's new oil transfer rules.

17 The prevention program also inspects oil-handling facilities, looking at facility  
18 prevention plans, operations manuals, and certifying personnel training programs. Ecology  
19 regulates 38 facilities statewide. The Section also investigates causal factors of spills and  
20 develops reports used for enforcement and compliance of spill regulations. The Section also  
21 does education outreach, provides technical assistance to facilities and vessels, and does  
22 waterways management work with Harbor Safety Committees and other groups.

### 23 **Spills Program Preparedness Section**

24 Pilkey Jarvis presented an overview of the Spills Program Preparedness Section, with a  
25 budget of \$2,765,000 and a total of 15.3 FTEs. The Preparedness Section reviews and approves  
26 oil spill contingency plans and response contractors. Plans are approved for a five-year period,  
27 but are constantly maintained, tested, and updated. The Section oversees 38 plans: 16 tank  
28 vessel plans, two non-tank vessel plans (which are umbrella plans for the Columbia River and  
29 the Puget Sound), four pipeline plans, and 12 other facility plans. There are also four combined  
30 plans, in which companies cover multiple facilities with one plan. Pilkey-Jarvis added the  
31 federal government does not require non-tank vessels to submit contingency plans, but may  
32 require them to do so soon. If this happens, umbrella plans may not be adequate and Ecology  
33 could be faced with more than a thousand new plans to review and approve.

34 Ecology tries to review and approve plans within 65 days, but sometimes takes up to two  
35 years. Plans are required to use response contractors as necessary to fulfill requirements set  
36 according to a worst-case spill. Plan holders must use one or more of eleven pre-approved spill  
37 response companies in their plans, and pre-approved companies must be able to mobilize  
38 personnel and equipment within two hours.

39 Most of the Preparedness Section's resources are used to run Ecology's drill program.  
40 Companies follow the federal drill program, which sets standards for type and frequency of drills  
41 to conduct. Ecology conducts tabletop and deployment drills, and does not track what other  
42 types of drills facilities do. One to ten Ecology staff members spend six to sixty hours attending  
43 and evaluating drills. Ecology tries to complete evaluations within 30 days. Drills are conducted  
44 on a three-year cycle, and test every aspect of contingency plans. Each year, Ecology conducts  
45 roughly 20-30 tabletop drills, five to fifteen worst-case drills, 50+ deployment drills, and 250-

1 450 unannounced drills of every type. Most of these are vessel notification drills, which test  
2 familiarity with contingency plans. Ecology has recently increased its focus on unannounced  
3 drills, and has added an FTE this year for these purposes. Unannounced drills range from  
4 absolutely no notice to notice sent that an entity may be tested at some point during a given  
5 month or year. Ecology may issue such notices to several entities and then only target one.

6 Vessels and facilities can opt-out of drills for safety or significant economic reasons.  
7 Refusal to do a drill for no reason, similar to a situation that occurred earlier this year, is highly  
8 unusual and the recent clarification of Ecology's authority to conduct drills will prevent similar  
9 events from occurring in the future. Ecology may, among other actions, remove a plan from  
10 approval for unsatisfactory drill performance.

11 The Preparedness Section also develops and implements Washington's Geographic  
12 Response Plans (GRPs), plans meant to guide the early hours of a spill response. Ecology added  
13 two FTEs for a five-year process of reviewing and revising the GRPs. Ecology is currently  
14 reviewing earlier comments, and in two months will begin revisiting each area to assess changes.  
15 There will be many chances to comment on the GRPs throughout the process. Also, GIS allows  
16 for continual updating and synchronization of GRPs and critical areas in the future. Ecology is  
17 also working to incorporate cultural values, such as those of the tribes, into the GRPs.

18 The Preparedness Section also maintains the regional contingency plan, which uses the  
19 Northwest Area Contingency Plan, used as a blanket plan for Alaska, Washington, Oregon,  
20 Idaho, and Montana, and incorporates several state-specific policies. Ecology is tested on  
21 Washington's plan, and trains Ecology staff and others on the Plan.

## 22 23 **Spills Program Response Section & NRDA**

24 Dave Byers gave an overview of the Spills Program Response Section, with a budget of  
25 \$8.5 million and 33.2 FTEs. The Section has staff in Olympia, Bellevue, Yakima, and Spokane.  
26 There are also two responders in Vancouver and will be one in Bellingham soon. The Section is  
27 on call 24 hours a day through the Washington State Division of Emergency Management. The  
28 Section provides training to response agencies, community groups such as IOSA, and others.  
29 The Section responded to and cleaned up 1,700 hazardous materials cases around the state in  
30 2005. Ecology is the designated on-scene coordinator for oil spills.

31 Ecology has emergency response contracts available with many response companies, and  
32 two primary contracts with the National Response Corporation and Philips Service Corporation.  
33 Mike Doherty (Doherty) asked if Ecology has a contract with the Marine Spill Response  
34 Corporation (MSRC), and if MSRC has more equipment located around the Puget Sound than  
35 the National Response Corporation. Jensen replied that Ecology accesses MSRC through the  
36 Coast Guard, and that Ecology is working to map all response equipment around the state.

37  
38 Byers gave an overview of Ecology's NRDA Section, with a budget of \$408,000 and a  
39 total of 2.3 FTEs. NRDA's primary activity is to manage the Coastal Protection Account for  
40 natural resource restoration around the state. Ecology assesses natural resource damages in two  
41 ways. For unquantifiable spills, compensation is calculated using a table that assigns a dollar  
42 amount owed per number of gallons spilled. For other spills, a damage assessment is done to  
43 determine amount owed. Spillers can either pay Ecology directly or submit and enact a plan for  
44 natural resource restoration.

1 Natural resource values are based on a 1992 University of Washington study that takes  
2 into account specific habitats and examines the potential and actual effects to species and  
3 resources in the area impacted.

#### 4 5 **Oil Spill Prevention Account**

6 Jensen spoke on the sustainability of the Oil Spill Prevention Account, noting that current  
7 projections show a negative balance by Fiscal-Year 2012-2013. Chairman Cooper asked if the  
8 negative balance is due to refunds from petroleum product entering WA by pipeline, and  
9 therefore not subject to a barrel tax, and leaving by ship. Jensen replied that part of the  
10 discrepancy might be due to the difficulty in estimating future trends, and that projected trends  
11 might show an increase in refined product leaving WA. Jensen also cited disbursements and  
12 rising program costs as factors.

13 Naki Stevens (Stevens) noted the barrel tax is refunded when petroleum products are  
14 shipped out of the state. Fred Felleman (Felleman) noted that projections might take into  
15 account a future increase in untaxed oil brought from Canada by pipeline and then shipped out.

16 Jensen broke down the Prevention Account, noting a fixed yearly amount for the  
17 Department of Fish and Wildlife and for a University of Washington Program to target small  
18 spills. Jensen added that Spills Program FTEs are continually evaluated and modified so  
19 Ecology does not waste personnel.

20 Chad Bowechop (Bowechop) noted a dual responsibility of the tribes to make their  
21 perspectives known and to build a working relationship with Ecology and the Coast Guard.  
22 Jensen mentioned that the Northwest Area Contingency Plan involves tribes, and that Ecology  
23 recently organized a committee to examine how the agency can better work with tribes.

#### 24 25 **Ecology Oil Transfer & Contingency Plan Rules**

26 Jensen, Pilkey-Jarvis, and O'Brien briefed the Council on Ecology's coming Oil Transfer  
27 and Contingency Plan rules.

28 Currently, both rules are in the informal process of being revised according to comments  
29 received. Ecology will continue to gather feedback from stakeholder groups and new drafts will  
30 be put out in June. The rules will be implemented in late August to early September. Ecology  
31 structures the Oil Transfer rules around vessels and facilities, and is looking to classify facilities  
32 into four groups: oil terminals, smaller facilities currently regulated by the Coast Guard, mobile  
33 facilities, and marinas. The rules will be scaled to the risk each group poses to the environment.  
34 The Contingency Plan rules apply to all tank vessels, and non-tank vessels of at least 300 gross  
35 tons. Council Members expressed concerns that the Council will not be able to provide timely  
36 comment on the rules at its May meeting. Jensen committed to having a draft ready for the  
37 Council to review in May if necessary.

38 Specific issues with the Contingency Plan rules include bringing Ecology's drill program  
39 into rule, establishing liability standards for response, and determining equipment requirements.  
40 Oil Transfer rules issues include emergency shutdown operations, federal preemption of state  
41 rules, pre-booming and early action plans, and dealing with previously unregulated facilities.

42 Chairman Cooper requested the Council provide comments as soon as possible on the  
43 current drafts of the rules for staff to compile, and added the Council will deliberate and attempt  
44 to reach a consensus decision at its May meeting.

45  
46 Chairman Cooper adjourned the meeting at 4:40 p.m.

1 **March 17<sup>th</sup>, 2006**

2  
3 **Members Present:** Chairman Mike Cooper, Phil Bannan, Brett Bishop, Chad Bowechop  
4 (Alternate), Maura Brueger, Jim Davis, Mike Doherty, Stuart Downer, Gerald Joyce, Michael  
5 Moore, Kevin Ranker, Lee Roussel, John Schumacher, Jeff Shaw, Naki Stevens (Alternate),  
6 Greg Whittaker, Phil Winberry

7  
8 **Members Absent:** Kathy Fletcher, Harlan James, Nick Jones, David Sones

9  
10 **Staff Present:** Jacqui Brown Miller, Corey Nunlist

11  
12 Chairman Cooper called the meeting to order at 9:05 a.m.

13  
14 Scott Knutson, from the United States Coast Guard, briefed the Council on a sheen seen that  
15 morning in Elliot Bay.

16  
17 **Draft Incident Response Plan**

18 Brown Miller reviewed a memo to the Council regarding the Council's involvement in an  
19 oil spill drill or an oil spill response, and invited input and discussion. The Council generally  
20 supported the outlined goals, which were:

- 21  
22 1. To better the Council's overall understanding of oil spills and spill response,  
23 2. To use the wealth of local expertise and knowledge on the Council as a resource for the  
24 response,  
25 3. To independently evaluate drills and spill responses, and  
26 4. To keep the public informed of the response effort through frequent updates.

27  
28 Council Members suggested that involvement at the Incident Command Center (ICC)  
29 would be more appropriate and efficient, rather than members serving as field observers. John  
30 Schumacher (Schumacher) suggested involvement in drills as a good place for the Council to  
31 start. Mike Moore (Moore) added that being an observer without any assigned task at the ICC is  
32 a great way to learn about spills and drills. Jerry Joyce (Joyce) added that the Council's  
33 understanding of the inspection process would be enhanced if there was a mechanism for  
34 members to participate or observe some inspections. Jeff Shaw (Shaw) added that involvement  
35 in spills and drills provides excellent education for Council members and recognition for the  
36 Council as a whole.

37 Chairman Cooper directed the Council to send comments on the document to Brown  
38 Miller. The Council will address a revised version in the future.

39  
40 **Review of State and Federal Legislation**

41 Chairman Cooper noted that United States Senator Maria Cantwell recently introduced  
42 oil spill legislation that pertains directly to Washington and the Oil Spill Advisory Council, and  
43 that Congress is also reevaluating a moratorium on offshore drilling. He added the Council will  
44 be following both issues as they develop.

1 Brown Miller reviewed a memo detailing legislation relevant to the Council that staff  
2 tracked during the 2006 Session. The memo provided information on the following bills:

- 3
- 4 1. House Joint Memorial 4031, a petition to preserve Section 5 of the Marine Mammal
- 5 Protection Act, which is generally perceived to restrict oil tanker traffic in Puget Sound.
- 6 2. Senate Bill 6244, legislation requested by the Department of Ecology to improve oil spill
- 7 prevention, preparedness, and response.
- 8 3. Senate Bill 6223, which makes improvements to the Derelict Vessel Removal Program.
- 9 4. Senate Bill 6384, the Governor's Supplemental Capital Budget, part of which
- 10 appropriates \$1.45 million to Ecology for the purchasing and storing of oil spill response
- 11 equipment.
- 12 5. Senate Bill 6386, the Governor's Supplemental Operating Budget, part of which provides
- 13 \$859,000 to Ecology for new FTEs to implement the coming rules, and part of which
- 14 provides a temporary fix to the original language creating the Oil Spill Advisory Council.
- 15 The fix clarifies the chair-facilitator should be eligible for per-diem compensation as a
- 16 member of a class-two group, and that members may receive reimbursement for expenses
- 17 while on official business authorized by the chair-facilitator, such as subcommittee
- 18 meetings.
- 19 6. House Bill 1641, which decriminalizes vessel registration violations.
- 20
- 21

## 22 **Consultant Introduction and Presentation of Timeline and Approach**

23 Rob Frazier (Frazier) of Environment International Ltd. (EI) introduced himself and  
24 Emily Neff, the Project Assistant. He discussed his approach and timeline for completing studies  
25 on a state-of-the-art oil spill prevention program in Washington and the financial sustainability  
26 of that program. The final report, incorporating both studies, will be done according to the  
27 document distributed to the Council titled, "2006 Milestones Related to Consultant".

28 EI's approach is to take state-of-the-art component pieces of model programs and  
29 combine them into one effective, attainable program for Washington. Frazier stressed that EI's  
30 purpose is not to give an opinion on what the Council should do, but to present the best possible  
31 information to the Council. For the financial study, EI will be looking at every potential source  
32 of funding and will take a risk-based approach, while also taking into account economic impacts  
33 to all stakeholders. Frazier noted that Council Member input and suggestions are welcome, but  
34 that EI may only take direction from Chairman Cooper or Brown Miller.

35 Maura Brueger (Brueger) suggested EI work closely with Governor Gregoire's new  
36 Puget Sound Partnership, noting it is conducting extensive research due out in April or May that  
37 will be relevant to the Council's work. Ranker suggested working with the Governor's Ocean  
38 Policy Workgroup and examining similar groups in other states that deal more closely with oil  
39 spills. Moore suggested EI break their risk-based approach down to look at ships in transit  
40 versus ships transferring oil, and that EI study all fees and taxes already collected, and money  
41 spent, that are at all relevant to oil spill prevention and response.

## 42 **More Discussion on EI's Approach**

43 Frazier noted that EI intends to begin the funding study by examining the prevention  
44 program already in place in Washington, take into account the elements being studied for the  
45 prevention program report, and add caveats if necessary. Chairman Cooper noted the two reports  
46

1 will be synchronized as much as possible, and that the Council's recommendations will be timely  
2 enough for the legislature to take action on them in 2007.

3 Bowechop noted any risk-based approach to oil spill prevention should incorporate tribal  
4 perspectives and rights. Stevens suggested EI look at the human element in oil spill prevention,  
5 and that EI not spend too much time analyzing risk-assessment reports. Moore disagreed,  
6 suggesting that EI look at the most recent and relevant risk-assessment reports available. Frazier  
7 replied that EI plans to study the reports available and give the Council a good idea of what is  
8 being said. Doherty added risk-based approaches often ignore worst-case oil spills. Frazier  
9 replied that worst-case spills will be taken into account.

10 Downer noted that the Council's report to the legislature will mark the beginning of on-  
11 going work and that this idea should be conveyed to the legislature with the reports.

12  
13 Brown Miller noted that EI's work will study six other committees and councils and six  
14 model programs to prepare its prevention program report. Chairman Cooper invited input as to  
15 suggestions on programs, councils, and committees to study and others to rule out.

16 Stevens suggested studying the Prince William Sound Regional Citizens Advisory  
17 Council (PWSRCAC) to get a sense of Alaska's program, and leave the Cook Inlet equivalent  
18 out. Moore added that a study of PWSRCAC should differentiate between prevention and  
19 response. He also suggested studying Harbor Safety Committees, which deal almost exclusively  
20 with prevention. Davis suggested studying some committees that deal with geographies  
21 particular to Washington's outer coast, Puget Sound, and Columbia River. Joyce suggested the  
22 Norwegian program and perhaps something in the Great Lakes. Schumacher suggested leaving  
23 out the California and Oregon programs, and anything that deals more with refineries and  
24 drilling, such as the programs in Texas and Louisiana.

25 Brown Miller requested the Council submit further ideas to her by April 6<sup>th</sup>.

26  
27 Chairman Cooper invited Byers to brief the Council on the sheen seen that morning.  
28 Byers said that both Coast Guard and Ecology personnel were working to identify the source of  
29 the spill, and that an outfall on Harbor Island was the preliminary guess. Byers estimated the  
30 spill at five gallons. Byers noted that rainbow sheens are not recoverable, but that Ecology will  
31 work to cleanup the outfall in Harbor Island.

32  
33 *Lunch from 11:50-1:25*

### 34 35 **Teambuilding**

36 The Council played the teambuilding game, 'Two Truths and a Lie', in which members  
37 each shared three things about themselves and everyone tried to guess which statement was false.  
38 Chairman Cooper correctly guessed the most lies and, for the winner's prize, received a verbal  
39 lunch voucher from Brown Miller.

### 40 41 **Lessons Learned Pertaining to Prevention**

42 Brown Miller reviewed a memo to the Council regarding reports on lessons learned  
43 pertaining to prevention. She identified common themes in the reports, such as accidents caused  
44 by companies valuing profit over safety, and company policies not being enforced. Common  
45 activities in which vessels were engaging at the time of the accidents were bunkering, navigation,  
46 and bulk fuel transfers. A common recommendation resulting from the lessons learned and near



miss reports is that companies should better educate employees regarding company policies. Employees should also understand what mechanical problems cause accidents and learn how to prevent them. Brown Miller noted that addressing common themes in the reports is difficult for the state to do because of federal preemption issues. But she added that the Council should coordinate with Ecology and industry to establish better voluntary compliance practices.

Chairman Cooper invited discussion. Moore suggested looking at the North Puget Sound Risk Assessment Panel Report, which lists 24 prevention recommendations, and the universe of Coast Guard reports and recommendations. Doherty cautioned against generalizing a corporate culture, noting that some companies have good compliance and spill records. Davis suggested negative views to prevention be examined, e.g., a tug was not there to prevent the spill, or a vessel should not have been in the area to begin with. Stevens suggested starting with an early 90's Marine Oversight Board study of recommendations and implementation, and that the PWSRCAC recently conducted a human factor study that does not have recommendations but is relevant to the Council's work. Joyce expressed concern with unheeded recommendations, and with a lack of voluntary compliance practices. Moore noted the amount of oil spilled has decreased significantly over the years. He added the systems in place don't give perfect compliance, but they do fairly well, and the Council should tackle the most important issues.

Chairman Cooper suggested that staff, working with a subcommittee, compile the Council's comments and continue to examine reports done by Ecology, the Coast Guard, and others in order to make recommendations that will be part of EI's report.

#### **Technical Advisory Committees**

Chairman Cooper briefed the Council on the process of forming Technical Advisory Committees (TACs) to support the Council's work. Four TACs would examine:

1. Federal funding of spill prevention activities (federal funding).
2. Washington's capacity to respond to a catastrophic oil spill (capacity).
3. Changes to Washington's escort and rescue tug systems (tugs).
4. Oil spills from derelict vessels (derelict vessels).

The federal funding and capacity TACs will each draft a scope of work to be used in a competitive bid process to determine the cost of performing the studies set forth in each scope of work. This information ultimately will be provided in the Council's September report to Washington's Governor, state legislature, and Department of Ecology. The tugs and derelict vessels TACs will review the universe of reports available on these issues and articulate recommendations to the Council that will support the Council's deliberations at its May meeting.

Chairman Cooper took names of people interested in serving on a TAC. The TACs will have approximately five members each, two or three of whom will be Council Members. Each TAC will be chaired by a Council Member. Staff will soon send out an announcement asking for other interested people to serve on the TACs. Council members should also send suggestions to Brown Miller. Notice will be sent out when the TAC membership is finalized.

#### **Public Comment**

Chairman Cooper invited public comment at this time. There was none.

The Council discussed whether there should be public comment on each day of two-day meetings. Council members suggested that there should be public comment on both days.

1 Chairman Cooper noted that, if the Council allows public comment on both days, the comment  
2 period might be cut in half. The Council agreed to this approach. Joyce requested that agendas  
3 be sent out earlier so that members of the public can better know when they will be allowed to  
4 comment at meetings. Doherty suggested that agendas include a notice that the Council  
5 welcomes written comment as well.

6  
7 Chairman Cooper adjourned the meeting at 3:15 p.m.